Cr.M.P.(M) No.433 of 2006.

11.7.2006 Present: Mr.Anup Rattan, counsel for the Petitioner.
Mr.J.S.Guleria, Law Officer, for the respondent.

This application has been filed for grant of bail. The petitioner is facing trial before the learned Additional Sessions Judge (Fast Track Court), Una, District Una in case arising out of an FIR No.112 of 1998 dated 24.2.1998 under Sections 307, 323, 324 and 506 IPC.

The petitioner-accused was granted bail by the trial Court but he did not appear on 16.1.2002 when the case was fixed for prosecution evidence. His bail bonds were cancelled and he was ordered to be produced by way of issuance of non-bailable warrants. On the next date i.e. 17.1.2002 the accused put in appearance and filed an application for grant of bail which was allowed by the learned Additional Sessions Judge, Una. The case was again fixed for prosecution evidence. The accused appeared up to 23.6.2003 and thereafter he remained absent. When non-bailable warrants were issued he again put in appearance on 31.7.2003 and case was again fixed for prosecution evidence on 22 & 23-9-2003. The accused on these dates remained absent and thereafter did not appear in the Court and finally on 2.4.2004 he was declared a proclaimed offender. It was only in December, 2005 that the accused was apprehended by the police in another criminal case and thereafter the trial against the petitioner was re-opened.

The explanation given in the bail application is that the petitioner was arrested in connection with some case in Punjab and, therefore, he could not appear. No details of the Police Station, FIR number etc. in which the petitioner was arrested have been given.

Keeping in view the past conduct of the petitioner and the fact that he did not appear in court despite the fact that his property was attached as he was declared a proclaimed offender no case is made out for grant of bail. Petition dismissed.

July 11, 2006. **(Deepak Gupta),**
PV **Judge**